

KENTUCKY BOARD OF DENTISTRY

SPRING 2006

NEWSLETTER

BOARD MEMBERS FOR 2005-2006

SUSAN FEELEY, DDS
PRESIDENT
6225 W HWY 146
CRESTWOOD KY 40014

DAVID NARRAMORE, DMD
VICE -PRESIDENT
363 MAIN STREET
WHITESBURG, KY 41858

MARY ANN BURCH, RDH
SECRETARY-TREASURER
220 CROWN POINT DR
FRANKFORT, KY 40601

JULIE GASKILL, DDS
546 PARK ST, STE 500
BOWLING GREEN, KY 42101

WILLIAM DEW, DMD
311 WEST 9TH ST
HOPKINSVILLE, KY 42240

DARLENE SAND WALL, DMD
2865 CHANCELLOR DR. STE 235
CRESTVIEW HILLS, KY 41017

DOUGLAS FERGUSON
962 CALDWELL RIDGE RD.
KNIFLEY, KY 42728

LAURA JUSTICE, DMD
3285 BLAZER PKWY STE 200
LEXINGTON, KY 40509

CHRIS BABCOCK, DMD, MD
225 ABRAHAM FLEXNER WAY
STE 302
LOUISVILLE, KY 40202

KASPER REPORTS

(Kentucky All Schedule Prescription Electronic Reporting)

In the dental renewal packet that was mailed in October 2005, there was a brochure regarding KASPER reports that was sent to all licensed dentists in the Commonwealth of Kentucky to alert the dentists on how to obtain KASPER reports on patients that seem to have tendencies of being an addict or a drug shopper. There still continues to be much concern with one of the largest threats to patient safety in the Commonwealth of Kentucky regarding abuse, misuse and diversion of controlled pharmaceutical substance.

KASPER is a tool that has been provided to help health care providers identify patients who may be at risk. KASPER catalogs most of the Scheduled II-V controlled substance prescriptions written and dispensed within the state.

To request a KASPER report on a patient an account must be requested using the following steps:

1. Log onto <https://ekasper.chfs.ky.gov/accessrequest>
2. Complete and submit the online form
3. Print the online form and affix copies of all requested licensure information
4. Send the form and copies to: Cabinet for Health and Family Services
Office of the Inspector General
Drug Enforcement Branch
275 E Main St. HS2CB
Frankfort, KY 40621

The actual KASPER reports are not to be shared with anyone including the patient. You may however discuss the findings of this report with the patient for whom it was generated, another health care provider treating the patient, dispenser who dispensed the medications, or law enforcement if there is a cause. If the information is discussed with another health care provider and they want a copy of that report, you will need to instruct them on how to request a report, but you may not share your report with them.

For more information regarding KASPER you can go to www.dentistry.ky.gov click on KASPER reporting and print a copy of this for your files.

DENTAL HYGIENE ONLINE RENEWAL FOR 2007-2008

Dental hygienists will be able to renew their Kentucky license online again this year. A post card will be mailed in mid October to all hygienists informing them that it is time to renew their license and the website to go to. No renewal forms will be mailed out except by request only, so, if you do not want to renew online, you will need to call the Board office and request that a renewal form be mailed to you after you have received your post card.

**ELECTION NOTICE FOR DENTISTS
NOMINATIONS ARE DUE BY
MAY 5, 2006**

The terms of Dr. Darlene Sand Wall (Zone 3) and Dr. Susan Feeley (Zone 1) will expire on June 30, 2006. Any licensed dentist may submit nominations to the Board by mailing a signed recommendation to the Kentucky Board of Dentistry, 10101 Linn Station Road, Suite 540, Louisville, Kentucky 40223 by May 5, 2006. All nominations must be in this office by this date so the nominees may be contacted to determine their eligibility and their willingness to serve. It is very important that each nominee who is submitted to the Governor be well qualified and interested in the public that is served by the dental profession. The election will be held on Friday May 19, 2006 and Saturday, May 20, 2006, between 10:00 am and 2:00 p.m. at the Commonwealth Convention Center, in Louisville, Kentucky, during the annual session of the Kentucky Dental Association. The names of the three candidates from each zone who receive the most votes will be submitted to the Governor, who will make the appointments. In order to be eligible for appointment, the nominees must be from Zone 3 and Zone 1.

Zone 3 consists of Boone, Boyd, Bracken, Campbell, Carter, Elliott, Gallatin, Grant, Greenup, Kenton, Lawrence, Lewis, Mason, Pendleton, Robertson, and Rowan.

Zone 1 consists of Breckinridge, Bullitt, Carroll, Grayson, Hardin, Henry, Jefferson, Larue, Meade, Nelson, Oldham, Shelby Spencer, and Trimble.

All Nominees must have been an actual resident and licensed practicing dentist of this state for not less than five years immediately preceding their appointment to the Board. They shall not in any way be connected with any dental or dental hygiene school, or department of any institution of learning, or dental supply business. Any licensed dentist in the state may place into nomination dentists from Zone 3 and Zone 1.

The Board has decided to allow absentee ballots for this election. Any licensed dentist eligible to vote may request an absentee ballot from the Board office. You must send in a request along with a self-stamped, self-addressed envelope by May 5, 2006. In order for your ballot to be valid, it must be received by the Board no later than May 17, 2006.

**ELECTION NOTICE FOR DENTAL HYGIENIST
NOMINATIONS ARE DUE BY
MAY 5, 2006**

The term of Mrs. Mary Ann Burch, R.D.H. will expire on June 30, 2006. Any licensed dental hygienist may submit nominations to the Board by mailing a signed recommendation to the Kentucky Board of Dentistry, 10101 Linn Station Road, Suite 540, Louisville, Kentucky 40223 by May 5, 2006. All nominations must be in this office by this date so the nominees may be contacted to determine their eligibility and their willingness to serve. It is very important that each nominee who is submitted to the Governor be well qualified and interested in the public that is served by the dental profession. The election will be held on Friday May 19, 2006 and Saturday, May 20, 2006 between 10:00 am and 2:00 pm at the Holiday Inn Downtown, Louisville, Kentucky, during the annual session of the Kentucky Dental Hygienist Association. The names of the three candidates who receive the most votes will be submitted to the Governor, who will make the appointment.

In order to be eligible for appointment, all nominees must have been an actual resident and licensed practicing dental hygienist of this state for not less than five years immediately preceding their appointment to the Board. They shall not in any way be connected with any dental or dental hygiene school, or department of any institution of learning, or dental supply business. Any licensed dental hygienist in the state, may place into nomination any dental hygienist licensed and practicing in Kentucky.

The Board has decided to allow absentee ballots for this election. Any licensed dental hygienist eligible to vote may request an absentee ballot from the Board office. You must send in a request along with a self stamped, self addressed envelope by May 5, 2006. In order for your ballot to be valid it must be received by the Board no later than May 17, 2006.

ADVERTISING OF DENTAL SERVICES

The Kentucky Board of Dentistry continues to receive initiating complaints and inquiries against dentists who make specific advertising statements without providing any factual basis for such claims. For example, a dentist may represent his/her qualifications stating: "The best dentist in town," or "the most experienced orthodontist in the city." In these examples, nowhere does the dentist state the factual basis upon which such statement is based. Kentucky law allows the Board to take disciplinary action for "false, misleading, or deceptive" advertising. The examples above are at least potentially "false, misleading, or deceptive" without a factual basis provided. As such, the Board is forced to investigate or to inquire otherwise as to the basis for such representations. In order to avoid such inquiry by the Board, dentists are advised to state clearly the factual basis for the representation, such as summarizing the dentist's education, training, and/or experience upon which the statement is made.

Another common advertising problem is the erroneous placement, often by the telephone company, of a general dentist's listing under a specialty heading. Often, this has been done without the dentist's awareness. For example, a general dentist who tells an advertising sales representative that he/she does braces suddenly finds himself/herself being listed under the specialty heading "Orthodontist" which is prohibited by Kentucky law. In order to protect yourself, you should always insist on approving, in writing, all final advertisement sold to you. If a complaint is filed regarding advertisement, providing a final copy as approved is a great help in immediately resolving the matter before the Board. Otherwise, it is much more difficult after the fact for the dentist to try to track down and hold responsible an advertising representative who has misplaced or changed an ad, so that the responsibility for such error can be successfully defended to the Board.



A FOND FAREWELL!!!!

It is with mixed emotions that we say "Farewell" and "Best Wishes" to our Executive Director, Gary Munsie. Effective July 31, 2006

Gary will be available for lunch and/or golf 7 days a week as he begins "another" retirement.

The Kentucky Board of Dentistry has enjoyed the administrative leadership provided by Gary for 13 years. He has been a very fair and calming influence as he conducted the business directed by the Board. The Board Members, past and present, all staff and many other dental professionals nationwide will miss him.

Dentists not renewed for 2006-2007 As of March 30, 2006

LNAME	FNAME	STATE
TRENTALANGE	JAMES W	
ROBERTS	LARRY KENT	OH
TALWAR	REENA MANJEET	ON
HALL	JULIE ANN	CA
SHEPHERD	ANNE L	KY
MARSHALL	DARRYL	KY
FORSEE	CHRISTOPHER BROCK	KY
SEARS	MICHAEL E	KY
BETTIS	VICTORIA CROSS	TN
NORDSTROM	SUSAN AHLENE	TN
SEPT	MATTHEW JOHN	AE
HILGERS	MICHAEL JAY	AZ
WRIGHT II	HOLLAND BOYD	GA

Labs not registered for 2006 As of March 30, 2006

Before using a lab, please check the Board's website to make sure that the Lab you are wanting to use is registered in Kentucky. Many labs used by Kentucky dentists are not registered in Kentucky.

LABNAME	CITY	STATE
AURUM CERAMIC DENTAL LAB INC	SPOKANE	WA
HAYS DENTAL LAB	TOMPKINSVILLE	KY
BOWLING GREEN DENTAL LAB	BOWLING GREEN	KY
BRASSTOWN DENTAL ARTS	YOUNG HARRIS	GA
POLO DENTAL ARTS INC	PELHAM	AL
MURDOCK LAB	GRAND JUNCTION	CO
PRIDE DENTAL LAB	RAIFORD	FL
FLUD DENTAL LAB	TULSA	OK
WINDSOR DENTAL CERAMICS INC	BARDSTOWN	KY
GWINNETT DENTAL LAB	DULUTH	GA
TENNYSON DENTAL LAB	CARTERVILLE	IL
SIGNATURE DENTAL STUDIO INC	CANTON	GA
PERFECTO DENTAL LAB CDL LLC	CINCINNATI	OH
BRIDGES DENTAL LAB INC	TUPELO	MS
FUHRMANN DENTAL LAB	LAKE DALLAS	TX
SALEM DENTAL LAB	SALEM	OR
JK DENTAL ARTS INC	CENTERVILLE	OH
PROFESSIONAL ARTS LAB	OWENSBORO	KY
MIDAMERICA ORTHODONTIC LAB INC	COLUMBIA	MO
CONTINENTAL DENTAL LABS	TORRANCE	CA
CREATIONS CROWN & BRIDGE	HUNTINGTON	WV
LAS VEGAS ESTHETICS	LAS VEGAS	NV
MASTERPIECE DENTAL STUDIO	MONTGOMERY	OH
DENTALOGIC RESTORATIONS	YONKERS	NY
MARQUIS DENTAL LABORATORY INC	OLDSMAR	FL
S I REMOVABLES	METROPOLIS	IL

HUMAN TISSUE RECALL

Perhaps you have seen a recent news article concerning the recall of harvested human tissue, which was sold to tissue processing companies by Biomedical Tissue Services of Fort Lee, New Jersey. The tissues from BTS were processed by five companies, specifically LifeCell, Lost Mountain Tissue Bank, Blood and Tissue Center of Central Texas, Tutogen Medical and Regeneration Technologies, prior to their distribution to physicians and dentists across the United States; including the Commonwealth of Kentucky. The Kentucky Board of Dentistry has been contacted by the Office of the Attorney General over patient protection concerns regarding this recall.

Harvested human tissue is used on patients in Kentucky by dentists and dental specialists in their private offices and in teaching facilities. The vast majority of these tissues meet the requirements set forth by the Food and Drug Administration with guidance from the Center for Disease Control and prevention. In this particular case, the FDA has determined that Biomedical Tissue Services failed to implement the standard operating procedures for determining donor eligibility, and failed to review the certificate of death of each donor, a relevant medical record, regarding risk factors for, or clinical evidence of, relevant communicable disease agents and diseases, as required. Additionally, the FDA has determined that BTS failed to recover tissues from human corpses in a manner which did not cause contamination or cross contamination and failed to adequately control environmental conditions during and after the recovery process.

The Office of the Attorney General has requested information from the tissue processing companies regarding which providers in this state received BTS tissue. Tutogen Medical complied with this request and provided the Office of the Attorney General with a list of Kentucky dentists and dental schools which received these tissues and tissue products. While Tutogen has assured the providers that all tissues were processed by them according to FDA requirements in accordance with CDC recommendations, dentists and physicians should comply with FDA recommendations. On October 26, 2005 an FDA news release stated:

"FDA and CDC recommend that implanting physicians inform their patients that they may have received tissue from a donor for whom an adequate donor eligibility determination was not performed." While the overall risk is likely low, FDA and CDC recommend that physicians and dentists offer to provide patients access to appropriate infectious disease testing. The relevant communicable diseases for which a tissue donor is required to be tested are HIV-1 and 2 (the viruses that cause AIDS), hepatitis B virus, hepatitis C virus and syphilis."

The Kentucky Board of Dentistry is a state agency charged with protecting the public. In keeping with this mission, the Board concludes it is imperative that members of the dental profession follow the recommendations of the Food and Drug administration in regards to all recalls of both human tissues and medical/dental devices. By the fall of 2005, physicians and dentists who implanted tissues obtained from BTS should have been contacted by the school or entity from whom they obtained these samples.

The Kentucky Board of Dentistry will be communicating in writing with the individual dentists whose names we received via the Office of the Attorney General regarding the need for them to contact their patients and will ensure that they have done so. It is the Board's recommendation that whenever a dentist or hygienist places a product or provides a product to a patient which they later find is unsafe or may be unsafe, it is inherent in the professional code of ethics and appropriate standard of care under law that the patient be notified and an appropriate treatment be rendered, whatever that may be. Failure to notify the patient and follow the recommendations of the recalling agency could result in the Board taking disciplinary action, and could increase one's professional liability should a patient later determine that they were not informed of a potential health risk.

If you should have any questions concerning this recall or the appropriate conduct for dental health care providers when faced with future product liability issues, please do not hesitate to contact the Board office in writing.



PRESCRIPTION WRITING

KRS 313.250(1) states that licensed pharmacists may fill prescriptions of licensed dentists of this state for any drug necessary to the practice of dentistry. Pharmacists call the Board of Dentistry many times and ask if the Board permits dentists to prescribe medications outside the scope of dental practice. The above law is stated to the pharmacist. This is the only law that describes what a dentist may prescribe to a patient. We are reminding all dentists to only prescribe for patients of record and to prescribe as indicated for the dental diagnosis and treatment.

NEW AND CHANGED REGULATIONS OF THE KENTUCKY BOARD OF DENTISTRY

201 KAR 8:180. APPLICANT; REQUIREMENTS.

RELATES TO: KRS 313.040(1), 313.220(1)

STATUTORY AUTHORITY: KRS 313.040(1), 313.220(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 313.220(1) requires the board to establish the examination requirements for applicants for a dental license. KRS 313.040(1) requires that applicants for a dental license be a graduate of an approved college. This administrative regulation establishes the application requirements for dentists.

Section 1. (1) All examinations shall be conducted in the English language.

(2) Except as provided in subsection (3) of this section, an applicant for licensure shall be a graduate of a Commission on Dental Accreditation (CODA) accredited dental school or college or dental department of a university.

(3) An applicant for licensure who is a graduate of a non-CODA accredited program shall be licensed if the applicant:

(a) Has completed two (2) years post-graduate training in a general dentistry CODA accredited program;

(b) Submits one (1) letter of recommendation from the program director of each training site;

(c) Has passed the national board exams I and II within the past five (5) years of application for licensure;

(d) Has passed the clinical examination established in 201 KAR 8:220 within the past five (5) years of application for licensure; and

(e) Has passed either the "Test of English as a Foreign Language" with a score of 650, or has an attainment of level 109 in the "English Language Service Test", if English is not the applicant's native language. (Den:G:E1-1; 1 Ky.R. 339; eff. 2-5-75; 32 Ky.R. 278; 866; eff. 11-16-2005.)

201 KAR 8:185. WRITTEN EXAMINATION GRADE REQUIREMENTS.

RELATES TO: KRS 313.050

STATUTORY AUTHORITY: KRS 313.220

NECESSITY, FUNCTION, AND CONFORMITY: KRS 313.050 requires the passage of a written and a clinical examination in order to become licensed as a dentist. This administrative regulation establishes the standards for the written examination.

Section 1. (1) Written examination. To successfully complete the written portion of the Kentucky Board of Dentistry's licensure examination, all applicants shall be required to successfully complete Part I and Part II of the National Board (written theoretical) examination conducted by the Council of National Board of Dental Examiners. Part I of the National Board examination shall be required prior to graduation from an accredited dental program. An applicant shall be required to complete Part II of the National Board examination within twenty-four (24) months of his or her date of graduation from an accredited dental program.

(2) An applicant who has not completed Part II of the National Board examinations within twenty-four (24) months his or her of date of graduation from an accredited dental program shall not be allowed to retake the examination until remediation has been completed:

(a) The applicant shall:

1. Review the results of the previous administrations of the examinations and determine the areas of deficiency in the in the applicant's previous attempts at the examination; and

2. Submit a remediation plan to the board that includes further study or work in the areas that were demonstrated to be deficient for that candidate in the previous three (3) examinations.

(b) The board shall review the stated deficiencies and the plan and either approve it or modify it based on the deficiencies of the candidate as demonstrated by the examination results.

(c) The applicant shall show proof of successful completion of the remediation plan before being allowed to sit for a further administration of the examination.

(3) This requirement shall be satisfied prior to admission to the clinical portion of the Kentucky Board of Dentistry's licensure examination. (Den:G:E5; 1 Ky.R. 592; eff. 4-9-75; Am. 3 Ky.R. 600; eff. 4-6-77; 32 Ky.R. 1144; 1389; eff. 3-2-2006.)

201 KAR 8:220. CLINICAL EXAMINATIONS.

RELATES TO: KRS 313.050, 313.060, 313.100

STATUTORY AUTHORITY: KRS 313.220(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 313.050 requires the passage of a written and a clinical examination in order to become licensed as a dentist. This administrative regulation establishes the standards for the clinical examination.

Section 1. Definitions. (1) "Gross malperformance" means gross injury to the hard or soft tissue or gross failure to observe accepted dental principles as determined by the examiners.

(2) "Misconduct" means:

(a) Cheating on the examination by giving assistance to, or receiving assistance from, another individual;

(b) Disorderly conduct, as defined in KRS 525.060; or

(c) Harassment, as defined in KRS 525.070.

Section 2. (1) Clinical examination. The requirements of the clinical examination shall be within the discretion of the board as to subject matter but these requirements shall be agreed upon one (1) year prior to the examination, and shall remain within the subjects contained in the regular curriculum of accredited dental schools.

(2) Successful completion of the clinical examination adopted for use by the Kentucky Board of Dentistry shall require that a candidate successfully complete one (1) of the following examinations within three tries:

(a) The examination of the Southern Regional Testing Agency, Inc.;

(b) The examination of the Western Regional Testing Association;

(c) The examination of the Northeast Regional Board; or

(d) The examination of the Central Regional Testing Association.

(3)(a) An applicant who has taken the clinical examination three (3) times and failed to achieve a passing score shall not be allowed to sit for the examination again until a remediation plan has been submitted, approved, and completed in accordance with this subsection.

(b)The applicant shall:

1. review the results of the previous administrations of the examinations and determine the areas of deficiency in the applicant's previous attempts at the examination; and

2. submit a remediation plan to the board that includes further study or work in the areas that were demonstrated to be deficient for that candidate in the previous three (3) examinations.

(c) The board shall review the stated deficiencies and the plan and either approve it or modify it based on the deficiencies of the candidate as demonstrated by the examination results.

(d) The applicant shall show proof of successful completion of the remediation plan before being allowed to sit for a further administration of the examination.

(4) Regional testing agencies shall not conduct examinations in the Commonwealth of Kentucky without obtaining the authorization of the Kentucky Board of Dentistry.

(5) A candidate shall be dismissed during the course of the examination for gross malperformance or misconduct.

(6) A candidate who is dismissed from the examination for malperformance or misconduct shall have the right to appeal his dismissal to the Kentucky Board of Dentistry by filing a petition in writing stating his grounds for appeal before the next regularly scheduled meeting of the Kentucky Board of Dentistry. Thereafter, a majority vote by the board members present shall determine the issue.

(7) A candidate may appeal a decision of the board in accordance with KRS 13B.140. (Den:G:E6-1; 1 Ky.R. 340; eff. 2-5-75; Am. 4 Ky.R. 52; 253; eff. 12-27-77; 22 Ky.R. 107; eff. 8-16-95; 26 Ky.R. 1690; 1941; eff. 5-10-2000; 32 Ky.R. 1145; 1389; eff. 3-2-06.)

201 KAR 8:265. CREDENTIALING OF DENTAL HYGIENE LICENSE.

RELATES TO: KRS 313.303

STATUTORY AUTHORITY: KRS 313.220(i)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 313.220(i) authorizes the board to promulgate administrative regulations necessary to administer KRS Chapter 313. KRS 313.045 establishes requirements for granting Kentucky Licenses to dental hygienists licensed in other states. This administrative regulation establishes the requirements and qualifications for dental hygienists not licensed in this state to qualify for licensure through credentialing.

Section 1. An applicant who is licensed in another state and who wishes to be licensed in Kentucky shall:

- (1) Meet the requirements of KRS 313.045;
- (2) Have passed a state or regional clinical licensure exam;
- (3) Be current with the other state's continuing dental education requirements for the twenty-four (24) month period proceeding the Kentucky application date;
- (4) Submit a letter of verification, verifying licensure from all states or territories of the U.S. or District of Columbia where the applicant has ever held or currently holds a dental hygiene license;
- (5) All applicants for dental hygiene credentialing shall show proof of successfully passing the dental hygiene National Boards administered by the Council of National Board of Dental Examiners; and
- (6) Appear before the credentialing committee of the board for an interview to review all credentials of the applicant before any board action on the application can take place. (32 Ky.R. 433; 867; eff. 11-16-2005.)

201 KAR 8:277. WRITTEN AND CLINICAL APPLICATION GRADE REQUIREMENTS.

RELATES TO: KRS 313.270

STATUTORY AUTHORITY: KRS 313.270

NECESSITY, FUNCTION, AND CONFORMITY: KRS 313.220(1) and (4) authorizes the board to promulgate administrative regulations regarding the practice of dental hygiene. This administrative regulation establishes requirements and qualifications for the written examination prior to the candidates' participation in the clinical examination.

Section 1. The provisions of 201 KAR 8:180 and 201 KAR 8:185 shall be applicable to dental hygienists for the purpose of establishing the time of examination, and the grading of the examinations of all applicants for a license to practice dental hygiene, and other provisions of this administrative regulation as pertain to the procedures and conducting of examinations.

Section 2. (1) Written Examination. To successfully complete the written portion of the Kentucky Board of Dentistry's licensure examination, all applicants shall be required to successfully complete the National Board (written theoretical) examination conducted by the Council of National Board of Dental Examiners. All dental hygiene applicants shall be required to complete the National Board examination within twenty-four (24) months of their date of graduation from an accredited dental hygiene program..

(2) An applicant who has not completed the National Board examination within twenty-four (24) months shall not be allowed to re-take the examination until remediation has been completed

(a) The applicant shall:

1. Review the results of the previous administrations of the examinations and determine the areas of deficiency in the applicant's previous attempts at the examination; and
2. Submit a remediation plan to the board that includes further study or work in the areas that were demonstrated to be deficient for that candidate in the previous three (3) examinations.

(b) The board shall review the stated deficiencies and the plan and either approve it, or modify it, based on the deficiencies of the candidate as demonstrated by the examination results.

(c) The applicant shall show proof of successful completion of the remediation plan before being allowed to sit for a further administration of the examination.

(3) This requirement shall be satisfied prior to admission to the clinical portion of the Kentucky Board of Dentistry's licensure examination.

Section 3. Clinical Examination. (1) To successfully complete the clinical portion of the Kentucky Board of Dentistry's clinical examination, all applicants must achieve an overall average grade of at least seventy-five (75) percent on any of the following examinations within three (3) tries:

- (a) The examination of the Southern Regional Testing Agency, Inc.;
- (b) The examination of the Western Regional Testing Association;
- (c) The examination of the Northeast Regional Board; or
- (d) The examination of the Central Regional Testing Association.

(2) Regional testing agencies shall not conduct examinations within the Commonwealth of Kentucky without obtaining the authorization of the Kentucky Board of Dentistry.

(3)(a) An applicant who has taken the clinical examination three (3) times and failed to achieve a passing score shall not be allowed to sit for the examination again until a remediation plan has been submitted, approved, and completed in accordance with this subsection.

(b) The applicant shall:

1. Review the results of the previous administrations of the examinations and determine the areas of deficiency in the applicant's previous attempts at the examination; and
2. Submit a remediation plan to the board that includes further study or work in the areas that were demonstrated to be deficient for that candidate in the previous three (3) examinations.

c. The board shall review the stated deficiencies and the plan and either approve it or modify it based on the deficiencies of the candidate as demonstrated by the examination results.

d. The applicant shall show proof of successful completion of the remediation plan before being allowed to sit for a further administration of the examination. (Den:H:E1-1; 1 Ky.R. 592; eff. 4-9-75; Am. 3 Ky.R. 600; eff. 4-6-77; 22 Ky.R. 108; eff. 8-16-95; 26 Ky.R. 1690; 1942; eff. 5-10-2000; 32 Ky.R. 1146; 1390; eff. 3-2-06.)

201 KAR 8:225. CREDENTIALING OF DENTAL LICENSE.

RELATES TO: KRS 313.045

STATUTORY AUTHORITY: KRS 313.220(i)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 313.220(i) authorizes the board to promulgate administrative regulations necessary to administer KRS Chapter 313. KRS 313.045 establishes requirements for granting Kentucky licenses to dentists licensed in other states. This administrative regulation establishes the requirements and qualifications for dentists not licensed in this state to qualify for licensure through credentialing.

Section 1. An applicant who is licensed in another state and who wishes to be licensed in Kentucky shall:

- (1) Meet the requirements of KRS 313.045;
- (2) Have passed a state or regional clinical licensure exam as required by 201 KAR 8:220;
- (3) Be current with the other state's continuing dental education requirements for the twenty-four (24) month period proceeding the Kentucky application date;
- (4) Submit a letter of verification, verifying licensure from all states or territories of the U.S. or District of Columbia where the applicant has ever held or currently holds a dental license;
- (5) Submit proof of successfully passing the dental National Boards I and II, administered by the Council of National Board of Dental Examiners; and
- (6) Appear before the credentialing committee of the board for an interview to review all credentials of the applicant before any board action on the application can take place. (32 Ky.R. 432; 866; eff. 11-16-2005.)

**BOARD DISCIPLINE FROM
NOVEMBER 2005 – MARCH 2006**

The following is a summary of disciplinary actions taken by the Board. It is intended as a summary for information purposes only. All information is believed to be accurate. However, complete terms of each disciplinary action are contained in the Board's records.

Craig Ralston, DMD
Tazwell, TN
November 11, 2005

Incompetence or negligence by a failure to meet the minimum standards of performance in diagnosis and treatment. Failure to keep written dental records and medical history records that justify the course of treatment. Prescribing a scheduled drug in inappropriate amounts or quantities, providing dental services without justification. Settlement Agreement. License is deemed retired as of the date the order of the Board. Shall not apply for a license to practice dentistry from the Board. Comply with all terms as set forth in settlement agreement.

Douglas Clark, DMD
Florence, KY
January 13, 2006

Prescribing a legend drug other than in the professional practice of the dentist and prescribing a legend drug in inappropriate amounts or quantities not in the best interest of the patient and failure to maintain documentation. Settlement Agreement. Reprimand and 5 yrs probation, \$100.00 for investigative costs, not apply for DEA permit for 5 years. Comply with all terms as set forth in settlement agreement.

Maher "Mark" Mamari, DDS
Ft. Mitchell, KY
January 13, 2006

Obtaining a fee by inadvertent misrepresentation and/or failing to keep written dental records that justify the course of treatment. Denies violation. Settlement Agreement. Probation for six (6) months, \$500.00 for investigative costs. Comply with all terms as set forth in settlement agreement.

Thad F. Thomas, DMD
Dry Ridge, KY
January 13, 2006

Prescribing a legend drug other than in the professional practice of the dentist and prescribing a legend drug in inappropriate amounts or quantities not in the best interest of the patient. Failing to keep written dental records that justify the course of treatment. Settlement Agreement. Reprimand, DEA Surrender, \$500.00 investigative costs, one (1) year probation. Comply with all terms as set forth in settlement agreement.

Daniel R. Watkins, DMD
Hazard, KY
January 13, 2006

Prescribing a legend drug other than in the professional practice of the dentist and prescribing a legend drug in inappropriate amounts or quantities not in the best interest of the patient. Failing to keep written dental records that justify the course of treatment. Settlement Agreement. Reprimand, one (1) year probation, not apply for DEA permit for 30 months. Comply with all terms as set forth in settlement agreement.

John C. Ballard
Lexington, KY
March 10, 2006

Addiction to a drug habit. Settlement agreement. 5 yrs suspension fully probated, surrender of DEA Permit, active membership in the Well Being Committee. Comply with all terms as set forth in settlement agreement.

Joseph Schuler, DMD
Mayesville, KY
March 10, 2006

Incompetence or negligence by a failure to meet the minimum standards of performance in diagnosis and treatment. Failure to keep written dental records and medical history records that justify the course of treatment. Prescribing a scheduled drug in inappropriate amounts or quantities and other than in the course of the professional practice of the dentist. Settlement agreement. Reprimand, one (1) year probation, \$1,000.00 for costs. Comply with all terms as set forth in settlement agreement.

Michael E Sears, DMD
Corbin, KY
March 10, 2006

Addiction to a drug habit. Settlement Agreement. 5 yrs suspension fully probated, no DEA Permit for 5 years, active membership in the Well Being Committee. Comply with all terms as set forth in settlement agreement.

David Vanzant
Lancaster, KY
March 10, 2006

Chronic or persistent alcoholism. Violating an Order of the Board. Settlement Agreement. 5 yrs suspension fully stayed for so long as he holds a license. Active membership in the Well Being Committee for as long as he holds a license. Comply with all terms as set forth in settlement agreement.

Lora Rupard, RDH
Shepherdsville, KY
March 10, 2006

Pleaded guilty to obtaining a controlled substance by deceit. Settlement Agreement. Revocation of license stayed for five (5) years probation, active membership in Well Being Committee. Comply with all terms as set forth in settlement agreement.

UPDATE TO PRIOR DISCIPLINARY ACTION

William Caudill, DMD
Corbin, KY
February 17, 2006

In a unanimous decision of the Kentucky Court of Appeals, the Board's prior disciplinary action of indefinite probation was upheld against William Caudill, DMD, Somerset, KY. Dr. Caudill had pleaded guilty to Medicaid fraud, and the Board of Dentistry took disciplinary action against his license to practice dentistry based upon the criminal conviction. The Board's disciplinary action was then upheld by the Jefferson Circuit Court and unanimously upheld by a three judge panel of the Court of Appeals.

Cease & Desist
James Anderson, DMD
Pine Knott, KY

James Anderson, DMD, a retired dentist who had not held a license since 1996, practiced dentistry without a license in 2005 and agreed to a Cease & Desist Affidavit to stop this unlawful conduct.



Kentucky Board of Dentistry
10101 Linn Station Rd., Ste. 540
Louisville KY 40223

CHANGE OF ADDRESS FORM

Dentist ☐ Hygienist ☐ Name _____ License No. _____

(For Dentist Only) - Preferred Mailing Address Business ☐ Residence ☐

Business Address

Name of Business (if applicable) _____

Address _____

City _____ State _____ Zip _____

Phone _____ KY County _____

Residence Address:

Address _____

City _____ State _____ Zip _____

Phone _____ KY County _____

